



General Assembly

February Session, 2008

Substitute Bill No. 5861

* _____ HB05861PH_APP031708 _____ *

AN ACT CONCERNING MENTALLY ILL INDIVIDUALS IN NURSING HOMES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2008*) The Department of Mental
2 Health and Addiction Services shall establish minimal reasonable
3 standards for the care and treatment of persons who are mentally ill
4 who reside in nursing facilities, as defined in section 17b-357 of the
5 general statutes. Such standards shall be established on or before July
6 1, 2009, and shall address: Personnel qualifications and training
7 requirements, the types and frequency of assessments and
8 reassessments of persons who are mentally ill, medication
9 administration protocols, psychiatric rehabilitation services, crises
10 services and personal care assistance. A nursing facility that admits
11 persons who are mentally ill shall annually report to the Department
12 of Public Health that such facility satisfies the minimal reasonable
13 standards for the care and treatment of such persons as established by
14 the Department of Mental Health and Addiction Services. For
15 purposes of this section, "mentally ill" has the same meaning as
16 provided in section 42 USC 1396r (e)(7)(G)(i).

17 Sec. 2. (NEW) (*Effective July 1, 2008*) (a) The Department of Public
18 Health, when conducting its annual survey of a nursing home, shall
19 consult with the Department of Mental Health and Addiction Services,

20 prior to the Department of Public Health finalizing the sample of
 21 resident records that shall be reviewed as part of the survey of a
 22 nursing home to ensure that persons who have been admitted to the
 23 nursing home, who were identified in the preadmission screening
 24 process as having a mental illness, and who had a level two evaluation
 25 are included in the survey.

26 (b) Any survey of resident records of a person described in
 27 subsection (a) of this section shall include: (1) A comparison between
 28 the services recommended in the level two evaluation for such person
 29 with the actual plan of care currently being provided by the nursing
 30 home to such person; and (2) specific findings on the need for services
 31 to address such person's mental illness and the potential for discharge
 32 to the community for such person. The survey sample of residents
 33 satisfying the criteria described in subsection (a) of this section shall
 34 consist of the greater of twenty per cent of the total number of all
 35 residents' files in the survey or two resident files.

36 (c) A nursing home that admits an individual who has received a
 37 level two evaluation that confirms a psychiatric diagnosis shall notify
 38 the Department of Mental Health and Addiction Services of such
 39 admission no later than two weeks following the date of the
 40 admission. Upon such notification, the Department of Mental Health
 41 and Addiction Services shall refer any such individual, who in the
 42 preceding twelve months received services from the department, to a
 43 local mental health authority.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2008</i>	New section
Sec. 2	<i>July 1, 2008</i>	New section

PH**Joint Favorable Subst. C/R****APP**